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10 Attorneys for Defendants
11 TREND MICRO INCORPORATED, a California corporation,
TREND MICRO INCORPORATED, a Japanese corporation, and
TREND MICRO INCORPORATED, a Taiwanese corporation.

18 FORTINET, INC., a Delaware corporation,
19 Plaintiff,
20 v.
21 TREND MICRO INCORPORATED, et al.,
22 Defendants.

Civil Case No.: CV 10-0048 MMC

**[PROPOSED] ORDER GRANTING
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL (1)
PORTIONS OF MEMORANDUM OF
POINTS AND AUTHORITIES IN
SUPPORT OF MOTION TO DISMISS
AND (2) EXHIBIT 8 TO
DECLARATION OF ANDREW C.
BYRNES IN SUPPORT OF MOTION
TO DISMISS**

AND DIRECTIONS TO DEFENDANTS

**Date: April 9, 2010
Time: 9:00 a.m.
Location: Courtroom 7, 19th Floor
Judge: Hon. Maxine M. Chesney**

Upon consideration of Defendants Trend Micro Incorporated, a California corporation, Trend Micro Incorporated, a Japanese corporation, and Trend Micro Incorporated’s, a Taiwanese corporation (collectively, “Trend Micro”) Administrative Motion for Leave to File Under Seal (1) portions of Memorandum of Points and Authorities in support of Motion to Dismiss Complaint pursuant to Fed. R. Civ. P. 12(b)(1) and (2) Exhibit 8 to Declaration of Andrew C. Byrnes in support of Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(1), and good cause appearing as described in the accompanying declaration of Andrew C. Byrnes;

IT IS HEREBY ORDERED that Trend Micro's Administrative Motion IS GRANTED.

Accordingly, the following portions of Trend Micro's Memorandum of Points and Authorities shall be filed under seal:

- (a). 5:4-5 (from “Trend” through “infringement”);
- (b). 10:3-4 (from “is” to “business”);
- (c). 10:6-7 (from “Trend” to “protected”);
- (d). 10:8-9 (from “By” to “covenant”);
- (e). 10:13 (from “Trend” to “customers”);
- (f). 10:14-15 (from “Trend” to “infringement”);
- (g). 13:27-28 (from “Trend” through “infringement”).

Exhibit 8 to Byrnes Declaration in support of Motion to Dismiss Complaint pursuant to Fed. R. Civ. P. 12(b)(1) shall be filed under seal in its ~~entirety~~ unredacted form.

Defendants are DIRECTED to file in the public record, no later than March 17, 2010, a redacted version of Exhibit 8 to Byrnes Declaration. (See Case No. 08-5371, Document No. 103, Attachment 3.)
IT IS SO ORDERED

Dated: March 10, 2010

Maxine M. Chesney
Honorable Maxine M. Chesney
United States District Judge